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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,538	07/15/2003	Brian G. Payton	SVL920020046US1/3792P	8432
45728 7590 08/07/2008 SAWYER LAW GROUP LLP 2465 E. Bayshore Road, Suite No. 406 PALO ALTO, CA 94303			EXAMINER TIMBLIN, ROBERT M	
			ART UNIT	PAPER NUMBER
			2167	
			NOTIFICATION DATE	DELIVERY MODE
			08/07/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent@sawyerlawgroup.com

Office Action Summary	Application No. 10/620,538	Applicant(s) PAYTON ET AL.	
	Examiner ROBERT TIMBLIN	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/25/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action corresponds to application 10/620,538 filed 7/15/2003.

Response to Amendment

Claims 10-15 and 22-28 have been cancelled herein. Claims 16-21 are currently pending.

Specification

The previous specification objection is withdrawn in light of the cancelled claims 22-28.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 16-21 are rejected under 35 U.S.C. 102(e) as being taught by Goldberg et al. (U.S. Patent 6,496,833). In the following citations and drawing references, Goldberg teaches or describes:

With respect to claim 16, A method for supporting a plurality of graphical user interface (GUI) application programming interfaces (APIs), the method comprising:

translating a plurality of elements (figure 7, e.g. elements 702, 704) of a query model (figure 7) into objects (col. 8 line 12-48; i.e. a statement that is generated into IDL code) that are independent of any type (i.e. the generated IDL code of col. 8 line 20-47 is not associated with an API) of data structure associated with the plurality of GUI APIs (218, 222), the plurality of elements being translated (i.e. the generated IDL code of col. 8 line 20-47 is not associated with an API) through use of a model content provider (604, 606, 202) in communication with the query model (figure 7), the plurality of elements representing a database statement (e.g. col. 8 line 6-19 and 1404);

passing the translated objects from the model content provider (604, 606, 202) to a first content viewer (206) in communication with the model content provider (604, 606, 202), the first content viewer supporting multiple GUI APIs (218, 222);

passing the translated objects (col. 8 line 12-48; i.e. a statement that is generated into IDL code) from the first content viewer (206) to a second content viewer (208, 214) the second content viewer (208, 214) being in communication with the first content viewer (figure 2, 206) and an application written to run (e.g. JDBC; col. 5 line 50-55, col. 8 line 60-61, col. 17 line 48-50) on a specific GUI API of the plurality of GUI APIs (218, 222); and

using the second content viewer (208, 214) to manipulate the translated objects into one or more types of data structures required by the specific GUI API for use by the

application (col. 5 line 44-60, col. 8 line 20-47 and col. 10 line 6-46; i.e. modifying the code for a JDBC API (col. 10 line 31)).

With respect to claim 17, the method of claim 16, wherein the one or more types of data structures comprise tables, trees, or lists (col. 17 line 41-43; i.e. a parameter list).

With respect to claim 18, the method of claim 16, wherein the database statement is a structured query language (SQL) statement (col. 8 line 6-11).

With respect to claim 19, the method of claim 16, further comprising:

receiving information from the application via the first content viewer (206) and the second content viewer (208, 214), the received information being independent of any type of data structure (col. 8 line 12-48; i.e. a statement that is generated into IDL code), and

creating one or more additional elements based on the received information responsive to the received information being an addition to the plurality of elements in the query model (col. 19 line 30-34; i.e. adding a query).

With respect to claim 20, the method of claim 16, further comprising:

receiving information from the application via the first content viewer (206) and the second content viewer (208, 214), the received information being independent of

any type of data structure (col. 8 line 12-48; i.e. a statement that is generated into IDL code), and

removing one or more of the plurality of elements from the query model responsive to the received information being a deletion of the one or more elements in the query model (col. 19 line 30; i.e. deleting or modifying a query).

With respect to claim 21, the method of claim 16, further comprising:

providing both data and image information for each of the plurality of elements in the query model to the first content viewer using the model content provider (col. 3 line 18-25).

Response to Arguments

Applicant's arguments in the reply filed 4/10/2008 have been fully considered but they are not persuasive.

Applicant argues on pages 10-11 of the reply that Goldberg does not teach or suggest the “translating a plurality of elements of a query model into objects that are independent of any type of data structure associated with a plurality of GUI APIs. The Examiner respectfully disagrees as this limitation can be found in Goldberg.

Specifically, Goldberg teaches elements of a query model (e.g. 702, 704) which are objects of a query. Goldberg further specifies that elements of a query model (e.g. the query statement in col. 8 line 9-11 can also be construed as a query model with

elements) is translated by generating IDL code which can be supported by a specific database API. For example, Goldberg discloses forming query objects for a specific DBMS API (col. 6 line 8-10). The Examiner submits that in the process of forming a query object to be API-specific that the objects from a received query (e.g. a query model) are generated into IDL code (i.e. as seen in the code snippet, col. 8 lines 20-48). Despite the fact that the IDL code may be written for a CORBA system, the IDL code serves as an intermediate code that may be modified for a particular database API (e.g. a JDBC API, col. 10 line 31 or a Sybase API, col. 13 line 20) and thus is independent of at least these two APIs. Furthermore, Goldberg notes that CORBA IDL language is an independent API language (col. 2 line 31-33 and col. 5 line 55) to further suggest that the queries (i.e. query model containing elements) translated are independent of any structure associated with the plurality of APIs (e.g. JDBC or Sybase).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ROBERT TIMBLIN/

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/John R. Cottingham/

Supervisory Patent Examiner, Art Unit 2167